REMARKS

The present amendment is in response to the Office Action dated November 13, 2008. Claims 1-13 are now present in this case. Claims 1-13 are amended.

The Examiner will kindly note that representation in this matter has been transferred to another attorney. The revocation/substitute power of attorney, change of address and request to amend the attorney docket number have been filed.

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as unpatentable by U.S. Publication No. 2005/0162396 to Meckesheimer ("the Meckesheimer reference") combined with U.S. Patent No. 5,854,621 to Junod. The applicants respectfully traverse this rejection and request reconsideration.

The disclosed embodiments of the invention will now be discussed in comparison to the prior art to clarify various distinctions of Applicant's invention over the cited art. Of course, the discussion of the disclosed embodiments, and the discussion of the differences between the disclosed embodiments and the prior art subject matter, do not define the scope or interpretation of any of the claims. Instead, such discussed differences merely help the Examiner appreciate important claim distinctions discussed thereafter.

Embodiments of the invention use an identification code and a wireless input device. In an embodiment, the wireless input device may comprise a transmitting device without memory, and a receiving device. The transmitting device includes a microcontroller for dynamically generating an identification code to be included in a packet sent to the receiving device. The identification code is generated in advance of sending the packet. The receiving device stores a predetermined identification code in its memory and compares the received identification code with the predetermined identification code stored in its memory and takes steps in conjunction with a computer coupled to the receiving device if the compared identification codes match. The use of a microcontroller to dynamically generate the identification code in the transmitting device, advantageously allows the transmitter to include no memory thereby decreasing the component count, complexity, and the overall cost of the transmitting device.

The Meckesheimer reference discloses a system for dynamic seat labeling. The system may include a transmitter for transmitting a signal, a plurality of receivers having a memory storing an identification code, and means for displaying appropriate messages based on the received signal. The transmitted signal may include one or more identification codes that are used by the receiver to determine whether to display such messages. Said another way, the receivers listen on a broadcast channel and selectively display messages or take other actions in response to broadcasts that include their particular identification code. The Meckesheimer reference does not, however, disclose generating the identification code. Instead, Meckesheimer teaches "generating the signal" that is transmitted and not necessarily the identification code. Meckesheimer also does not disclose that the identification code is based on the value stored in the receiving device.

Upon the recommendation of the Examiner, the Applicant has read the full disclosure of the Meckesheimer reference. The Applicant was unable to locate any teaching in the Meckesheimer reference that teaches the limitation of an "identification code [being] generated automatically by [a] micro controller." Moreover, although the Examiner does not contend that this limitation is taught by the Junod reference, the applicant nevertheless has read the full disclosure of the Junod reference and is likewise unable to locate any teaching in Junod that teaches this limitation. For these reasons, the applicant submits that amended claim 1 is allowable over the cited references, and respectfully requests that the rejection be withdrawn.

Turning now to the claims, claims 1 and 7 have been amended to recite that the identification code "is based on the identification code stored in the non-volatile memory of the receiving device." Support for this amendment can be found at least at page 4, lines 10-13. Amended claim 1 recites a transmitting device that includes a "micro controller" to send a packet that contains an "identification code generated automatically by the micro controller... whose value is based on the identification code stored in the non-volatile memory of receiving device ..." The Examiner contends that paragraph [0049] of the Meckesheimer reference discloses the "identification code [being] generated automatically by the micro controller." This paragraph does not, however, an "identification code [being] generated automatically by the micro controller

... whose value is based on the identification code stored in the non-volatile memory of receiving device ..." Instead, Meckesheimer discloses that a controller may be coupled to the transmitter "for generating the signal" (emphasis added) that may contain one or more identification codes. This portion of the Meckesheimer reference does not disclose that the "identification code is generated automatically by [the controller and] - whose value is based on the identification code stored in the non-volatile memory of receiving device."

Amended claim 7 likewise recites a "transmitting device" including a micro controller "for automatically generating [an] identification code... whose value is based on the identification code stored in the non-volatile memory of receiving device..." As discussed above, the Meckesheimer and Junod references fail to teach or fairly suggest the limitation of a microcontroller "automatically generating [an] identification code... whose value is based on the identification code stored in the non-volatile memory of receiving device." For these reasons, the Applicant submits that amended claim 7 is allowable over the cited references, and respectfully requests that the rejection be withdrawn.

Applicant further submits that the dependent claims of the present application are allowable in view of the allowability of the independent claims from which they depend, and in further view of their additional recitations.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. The applicant has made a good faith effort to place all claims in condition for allowance. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 757-8029.

Respectfully submitted,

Ying Yu Kuo

Davis Wright Tremaine LLP

/Michael J. Donohue, Reg. #35859/

Michael J. Donohue

MJD:mn

1201 Third Avenue
Suite 2200
Seattle, Washington 98101
Phone: (206) 757-8029
Fax: (206) 757-7029
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